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SIEMENS CORPORATION  
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| EXAMINER |
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JIANG, CHARLES C

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| ART UNIT | PAPER NUMBER |
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4145

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12/16/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |                                      |  |
|------------------------------|--------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/572,898 | <b>Applicant(s)</b><br>ANDERS ET AL. |  |
|                              | <b>Examiner</b><br>CHARLES C. JIANG  | <b>Art Unit</b><br>4145              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 15-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/21/2006</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “service access unit includes a search engine configured to search the central register database” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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### ***Specification***

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. ***The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided.*** The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Claim Objections***

3. Claims 17 and 20 objected to because of the following informalities: the claims 17 and 20 recite: "configured to". The examiner objects to "configured to" because "configured to" can be interpreted as optional and not positive claim limitation. The Examiner recommends clarification on the record or amending the claims. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 15, 16, 19-22, 25, 26, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kreiner, US 2004/0100975, in view of Jeansonne, US 2003/0023761.

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6. As per claim 15, Kreiner teaches a system for using services (Kreiner, US 2004/0100975, Fig. 1, Element 100, Paragraph 28, PDG) provided in at least one communication network (Kreiner, Fig. 2, Element 160, Network) having internet mechanisms (Kreiner, Paragraph 11, last sentence: internet), the system comprising: a communication network (previously discussed) having internet mechanisms (previously discussed); at least one automation system (Kreiner, Fig. 1, Element 100, Paragraph 28, PDG is a automation system) having automation components (Kreiner, Fig. 1, Elements 12, 14, 32, 34-36, Paragraph 28, memory, keyboard, mouse, etc. are all automation components) connected by a conventional field bus (Kreiner, Fig. 1, Elements bus and 30, peripheral bus controller); and a service access unit (Kreiner, Fig. 1, Element 20, 110, 24, 28, 30, 52 and 54, Paragraph 28, Ethernet and Wireless Transceiver can connect the bus to the network, but controlled by the processor and management module through the system controller and bus controller) for connecting the conventional field bus (previously discussed) to the communication network (previously discussed), wherein the service access unit (previously discussed) is provided as a client for requesting the services (Kreiner, Paragraph 11, "to facilitate improved access, sharing, notification, security, and/or management of data exchanged between or among different communications devices of a user", where access, sharing, notification of data exchange all include requesting services) ...

7. Kreiner does not teach ... teaches ... and includes a protocol converter for adapting a first communication protocol used by the services to a second communication protocol used by the field bus. However, Jeansonne teaches ... and

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includes a protocol converter for adapting a first communication protocol used by the services to a second communication protocol used by the field bus (Jeansonne, Paragraph 33, Lines 4-6).

8. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teaching of Jeansonne into Kreiner. Since Kreiner suggests a method and a system of remotely accessing, managing and providing for data, through internet, intranet and other networking solutions, wired or wirelessly and Jeansonne also suggests wireless communication, in particular, a system and a method for converting wireless protocol into USB protocol, therefore allowing a personal computing device the access to a network (Jeansonne, Page 3, paragraph 27), in the analogous art of wireless communication on a personal computing device.

9. As per claim 16, Kreiner and Jeansonne teach the system according to claim 15 (previously discussed), wherein the service access unit is integrated into the automation system (Kreiner, Fig. 1, Element 100 and 54, the Ethernet device is integral to the PDG, Paragraph 28).

10. As per claim 19, Kreiner and Jeansonne teach the system according to claim 15 (previously discussed), wherein the communication network is an intranet (Kreiner, Paragraph 26, intranet).

11. As per claim 20, Kreiner and Jeansonne teach the system according to claim 15 (previously discussed), wherein the service access unit is configured to provide further services (Kreiner, Fig. 7, Elements PDG, 701, Paragraph 41, PDF can transmit stored

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data, which include video, audio, email, etc., to remote mobile phone via network, which is the same as provide service; see, Paragraph 27 for definition of data) in the communication network (previously discussed).

12. As per claim 21, Kreiner teaches a method for using services (Kreiner, Fig. 1, Element 100, Paragraph 28, PDG) provided in at least one communication network (Kreiner, Fig. 2, Element 160, Network) having internet mechanisms (Kreiner, Paragraph 11, last sentence: internet) and at least one automation system (Kreiner, Fig. 1, Element 100, Paragraph 28, PDG is a automation system) comprising automation components (Kreiner, Fig. 1, Elements 12, 14, 32. 34-36, Paragraph 28, memory, keyboard, mouse, etc. are all automation components) connected by a conventional field bus (Kreiner, Fig. 1, Elements bus and 30, peripheral bus controller), the method comprising: connecting the conventional field bus to the communication network by a service access unit (Kreiner, Fig. 1, Element 20, 110, 24, 28, 30, 52 and 54, Paragraph 28, Ethernet and Wireless Transceiver can connect the bus to the network, but controlled by the processor and management module through the system controller and bus controller); ... and accessing the services by the automation components using the service access unit as a client (Kreiner, Paragraph 11, "to facilitate improved access, sharing, notification, security, and/or management of data exchanged between or among different communications devices of a user", where access, sharing, notification of data exchange all include requesting services).

13. Kreiner does not teach ... adapting a first communication protocol used by the services to a second communication protocol used by the field bus by a protocol

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converter included in the service access unit ... However, Jeansonne teaches ... adapting a first communication protocol used by the services to a second communication protocol used by the field bus by a protocol converter included in the service access unit (Jeansonne, Paragraph 33, Lines 4-6); ...

14. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teaching of Jeansonne into Kreiner. Since Kreiner suggests a method and a system of remotely accessing, managing and providing for data, through internet, intranet and other networking solutions, wired or wirelessly and Jeansonne also suggests wireless communication, in particular, a system and a method for converting wireless protocol into USB protocol, therefore allowing a personal computing device the access to a network (Jeansonne, Page 3, paragraph 27), in the analogous art of wireless communication on a personal computing device.

15. As per claim 22, Kreiner and Jeansonne teach the method according to claim 21(previously discussed), wherein the service access unit is integrated into the automation system (Kreiner, Fig. 1, Element 100 and 54, the Ethernet device is integral to the PDG, Paragraph 28).

16. As per claim 25, Kreiner and Jeansonne teach the method according to claim 21 (previously discussed), wherein the communication network is an intranet (Kreiner, Paragraph 26, intranet).

17. As per claim 26, Kreiner and Jeansonne teach the method according to claim 21 (previously discussed), wherein the service access unit is configured to provide further



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services (Kreiner, Fig. 7, Elements PDG, 701, Paragraph 41, PDF can transmit stored data, which include video, audio, email, etc., to remote mobile phone via network, which is the same as provide service; see, Paragraph 27 for definition of data) in the communication network (previously discussed).

18. As per claim 28, Kreiner teaches a service access unit for connecting (Kreiner, Fig. 1, Element 20, 110, 24, 28, 30, 52 and 54, Paragraph 28, Ethernet and Wireless Transceiver can connect the bus to the network, but controlled by the processor and management module through the system controller and bus controller) an automation system (Kreiner, Fig. 1, Element 100, Paragraph 28, PDG is a automation system) having automation components (Kreiner, Fig. 1, Elements 12, 14, 32. 34-36, Paragraph 28, memory, keyboard, mouse, etc. are all automation components) to a communication network (Kreiner, Fig. 2, Element 160, Network) having internet mechanisms (Kreiner, Paragraph 11, last sentence: internet), comprising ... the conventional field bus connecting (Kreiner, Fig. 1, Elements bus and 30, peripheral bus controller) the automation components (previously discussed), wherein the service access unit is configured as (previously discussed) an internet client or an intranet (Kreiner, Paragraph 11, internet, Paragraph 26, intranet) client for requesting the services (Kreiner, Paragraph 11, "to facilitate improved access, sharing, notification, security, and/or management of data exchanged between or among different communications devices of a user", where access, sharing, notification of data exchange all include requesting services).

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19. Kreiner does not teach ... a protocol converter for adapting a first communication protocol used by the services to a second communication protocol used by a conventional field bus ... However, Jeansonne teaches ... a protocol converter for adapting a first communication protocol used by the services to a second communication protocol used by a conventional field bus (Jeansonne, Paragraph 33, Lines 4-6), ...

20. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teaching of Jeansonne into Kreiner. Since Kreiner suggests a method and a system of remotely accessing, managing and providing for data, through internet, intranet and other networking solutions, wired or wirelessly and Jeansonne also suggests wireless communication, in particular, a system and a method for converting wireless protocol into USB protocol, therefore allowing a personal computing device the access to a network (Jeansonne, Page 3, paragraph 27), in the analogous art of wireless communication on a personal computing device.

21. Claims 17, 18, 23, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kreiner, US 2004/0100975, in view of Jeansonne, US 2003/0023761 as applied to claims 15, 16, 19-22, 25, 26, 28 above, and further in view of Aupperle, US 2003/0051027.

22. As per claim 17, Kreiner and Jeansonne teach the system according to claim 15 (previously discussed), wherein the communication network (previously discussed) has at least one central register database for providing information about at least part of the

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services (Aupperle, Fig. 5, Elements 540, 550, and Fig. 8, Search Results, where online cinema and online bingo are the online services), and the service access unit (previously discussed) includes a search engine (Kreiner, Fig. 3, Elements 100, 310, PDG and Router, Paragraph 32, *see a/so*, Fig. 5, Element 520, Paragraph 38) ...

23. Kreiner and Jeansonne do not teach ... configured to search the central register database. However, Aupperle teaches ... configured to search the central register database (Aupperle, Fig. 9, Elements 940-970, Paragraph 105).

24. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teaching of Aupperle into Kreiner and Jeansonne. Since Kreiner and Jeansonne suggest a method and a system of remotely accessing, managing and providing for data, through internet, intranet and other networking solutions, wired or wirelessly and Aupperle also suggests internet communication, in particular, a system and a method for querying a search engine for internet based services and obtaining results in return, deriving the benefit of providing a remote user information, which the user is interested in (Aupperle, paragraph 4) in the analogous art of internet communication on a personal computing device.

25. As per claim 18, Kreiner, Jeansonne and Moran teach the system according to claim 15 (previously discussed), wherein the services are web services (Aupperle, Fig. 5, Elements 540, 550, and Fig. 8, Search Results, where online cinema and online bingo are the web service).

26. As per claim 23, Kreiner, Jeansonne and Moran teach the method according to claim 21 (previously discussed), further comprising: providing at least one central

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register database having information about at least part of the services (Aupperle, Fig. 5, Elements 540, 550, and Fig. 8, Search Results, where online cinema and online bingo are the online services), and searching the central register database (Aupperle, Fig. 9, Elements 940-970, Paragraph 105) by a search engine included in the service access unit (Kreiner, Fig. 3, Elements 100, 310, PDG and Router, Paragraph 32, *see also*, Fig. 5, Element 520, Paragraph 38) when accessing the services (previously discussed).

27. As per claim 24, Kreiner, Jeansonne and Moran teach the method according to claim 21 (previously discussed), wherein the services are web services (Aupperle, Fig. 5, Elements 540, 550, and Fig. 8, Search Results, where online cinema and online bingo are the web service).

28. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kreiner, US 2004/0100975, in view of Jeansonne, US 2003/0023761 as applied to claims 15, 16, 19-22, 25, 26, 28 above, and further in view of Moran, US 2003/0083941.

29. As per claim 27, Kreiner and Jeansonne teach the method according to claim 21 (previously discussed), wherein the services include ...

30. Kreiner and Jeansonne do not teach ... executing a software update of at least one of the automation components. However, Moran teaches ... executing a software update of at least one of the automation components (Moran, Fig. 12, Elements 1203- - 1260, Paragraph 103).

31. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teaching of Moran into Kreiner and

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Jeansonne. Since Kreiner and Jeansonne suggest a method and a system of remotely accessing, managing and providing for data, through internet, intranet and other networking solutions, wired or wirelessly and Moran also suggests internet communication, in particular, updating a device driver automatically through the use of internet, hence providing the benefit of remotely delivery of computing solutions in the analogous art of internet communication on a personal computing device.

### ***Conclusion***

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Anton, US 2003/0202486, and Wendt, US 7,075,919.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHARLES C. JIANG whose telephone number is (571)270-7191. The examiner can normally be reached on M-F: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pankaj Kumar can be reached on 571-272-3011. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/C. C. J./

Examiner, Art Unit 4145

/Robert W Wilson/

Primary Examiner, Art Unit 2419